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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5891 OF 2007

Prashant Vijaykumar Kulkarni ... Petitioner

V/s.

The Chief Executive Officer ... Respondent

Mr.N.A. Kulkarni for Petitioner
Mr.M.B. Mehere for Respondent

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **AUGUST 28, 2007**

P.C.:

. The petitioner has rushed to the Labour Court by filing complaint under Items 1(a), (b), (d), (f) and (g) of Schedule IV of the MRTU & PULP Act contending that the Respondent Zilla Parishad has decided to illegally terminate his services. On 8.3.2007, the Zilla Parishad called upon the petitioner to show cause why his services should not be terminated for certain acts of misconduct. The petitioner has not replied to this show-cause notice but instead has preferred the complaint. The application for interim relief filed by the petitioner has been rejected by the Labour Court. The Revision application has also been dismissed by the Industrial Court. In my opinion, there is no error committed by the Courts below. However, it would be appropriate to direct the petitioner to reply to show-cause notice so that the Zilla Parishad can pass

appropriate orders. Hence, the following order:

ORDER

i) The impugned orders are confirmed. However, the petitioner shall reply to the show-cause notice dated 8.3.2007 within two weeks from today.

ii) The Zilla Parishad shall consider the reply and pass appropriate orders in the matter. In the event the Zilla Parishad decides to terminate the services of the petitioner, it may pass the order and keep it in abeyance for a period of 15 days.

iii) The petitioner then may file an appeal or take such action as advised in accordance with law.

iv) If the Petitioner approaches the appellate authority, the appellate authority will decide the issue uninfluenced by the orders impugned in this petition.

2. Writ petition is disposed of accordingly.